

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

RAOUL O. CHAZARA VARGAS
Plaintiff(s)

VS.

C.A. NO. 17-00418-JJM-LDA

LIFESPAN CORPORATION AND RHODE ISLAND
HOSPITAL
Defendant(s)

**MEMORANDUM OF LAW IN SUPPORT OF MOTION TO CONTINUE
SETTLEMENT CONFERENCE**

The Defendants, Lifespan Corporation and Rhode Island Hospital, hereby submit this memorandum of law in support of their Motion to Continue the Settlement Conference, presently scheduled for March 13, 2018. This matter involves a claim by the Plaintiff for severance benefits under an ERISA “top-hat” severance plan maintained by the Defendants. Certain issues have recently arisen regarding the insurance coverage available to the Defendants in connection with that claim. Despite the diligent efforts of Defendants and counsel it is unlikely that these coverage issues will be resolved soon enough to allow the Defendants to meaningfully and effectively participate in a mediation. Among other things, the coverage issues impact which individuals would have authority to negotiate and approve a settlement. For these reasons the Defendants believe that if the scheduling conference were to go forward on March 13, it would be not be productive and would be a poor use of the court’s and the parties’ time and resources. The Defendants anticipate that the coverage issues will be resolved by the end of March 2018. Accordingly, the Defendants are requesting that the conference be rescheduled to a date after April 3, 2018.

RHODE ISLAND HOSPITAL AND
LIFESPAN CORPORATION
By Its Attorney,

/s/ James A. Musgrave

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CERTIFICATION

I, James A. Musgrave, hereby certify that on March 1, 2018, I served the foregoing by causing a true and correct copy of the same to be sent by operation of the Court's ECF System to the following:

Stephen T. Fanning, Esq.
THE LAW OFFICE OF STEPHEN THOMAS FANNING
305 South Main Street
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/s/ James A. Musgrave

JAM:jam
5375-12 (3267719)
3/1/2018